

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

APPLETON PAPERS, INC. and
NCR CORPORATION,

Plaintiffs,

v.

Case No. 08-C-16

GEORGE A. WHITING PAPER COMPANY,
P.H. GLATFELTER COMPANY and
MENASHA CORPORATION,

Defendants .

ORDER

Upon plaintiff's request, the court previously set this matter for an expedited Rule 16 Scheduling Conference on April 23, 2008. The parties, several of whom had not yet appeared, were instructed to consult with one another and file their Rule 26(f) Report and discovery plan by April 14, 2008. One of the attorneys for Plaintiff NCR has now advised the court that the plaintiffs expect to add additional parties to the litigation who will not have had an opportunity to participate in the preparation of the Rule 26(f) Report and discovery plan. Counsel has thus inquired whether, in light of addition of new parties, the court wishes the parties to file their joint report and appear at the scheduled conference.

Although counsel does not so state, reading between the lines of her letter (which can be dangerous), I conclude that counsel believes the report and scheduled hearing will be of little value if the additional parties that are to be added will not be present. Since the expedited scheduling conference was ordered at plaintiffs' request, I assume that the other parties do not object to a postponement to allow a more meaningful hearing. Based on the foregoing, the dates previously

set for filing of the Rule 26(f) Report and the scheduling conference in the above matter are vacated. The court will await the earlier of a further request by a party or entry of appearances by all of the defendants before setting the matter for further scheduling.

SO ORDERED this 10th day of April, 2008.

s/ William C. Griesbach
William C. Griesbach
United States District Judge